

Bureau of Land Management
Northeast California Resource Advisory Council
Field Tour and Meeting
November 7-8, 2012, Alturas, California

Summary Minutes

November 7

Members of the RAC participated in a field tour to discuss a steam crossing issue at Horse Creek near Little Valley in northern Lassen County. Members and BLM staff discussed other issues including management of the historic Lassen Emigrant Trail, issues associated with unauthorized firewood cutting, and law enforcement issues on the public lands.

November 8

The meeting convened at 8 a.m. at the BLM Alturas Field Office.

Attendance

Category One: Todd Swickard, Ken McGarva, Russ Hawkins. Absent: John Erquiaga, Skip Willmore.

Category Two: Louise Jensen, Judy Oliver. Absent: Gale Dupree, Alan Cain, Frank Bayham.

Category Three: Sean Curtis, Carol Montgomery. Absent: Rich DuVarney, Brad Hanson, Jim Chapman.

There are no majorities present in categories two and three, and therefore no quorum of the council.

BLM Staff: Northern California District Manager Nancy Haug, Alturas and Surprise Field Office Manager Tim Burke, Acting Eagle Lake Field Manager Dereck Wilson, Alturas Wildlife Biologist Arlene Kosc, Northern California District Public Affairs Officer Jeff Fontana.

Guests: Carla Bowers, Volcano. Several members of the public participated in parts of the meeting via teleconference.

Opening Business

Neither the RAC chair nor vice chair were present. District Manager Nancy Haug chaired the meeting.

The agenda was approved as presented. The minutes from the last meeting are corrected to show that Carla Bowers comment was that the BLM should use bait and water trapping for wild horse management within family units. The minutes were approved with the correction.

Field Trip Recap

Tim Burke provided a recap of the issue involving the proposed bridge crossing at Horse Creek near Little Valley. Property owner Dale Mullenhauer has raised concerns about the crossing, which is on private land, being impassable during high steam flow. There are 6,000 acres of BLM-managed public land and four homeowners on the opposite side of the crossing. The BLM has discussed a possible right of way across the Mullenhauer property; Mullenhauer has asked that BLM build a bridge to allow for crossing during high flows. BLM engineers have suggested that a low water crossing would be feasible and at about \$200,000, less expensive than a bridge, estimated to cost \$1 million

RAC discussion: There were clarifying questions about the location and proximity of public land and the proposed crossing, located a quarter mile from the nearest county road on an unimproved private road. There is a Burlington Northern-Santa Fe railroad line adjacent.

- Sean Curtis said it appears the proposed arrangement is too informal to qualify for public grant funding from entities such as fish and game or others. Further he noted there are Dept. of Fish and Game stream management regulations that must be followed. It hat it appears BLM would be only one of a large group that needs to get together including the county, railroad and others. He said there is no reason for BLM to be the clearing house for the proposal.

There was continuing discussion.

Action: Members present agreed that a larger group, as noted by Sean, should discuss the crossing issues and possible solutions. Because there was no quorum, the RAC could not forward a formal recommendation to the BLM.

Firewood cutting issues

Tim informed the group that the Alturas Field Office policy to allow free wood cutting in specified juniper areas runs counter to government regulations requiring that the government receive fair market value for forest products -- \$6 per cord for juniper. Tim noted that the RAC has supported the free use program because the BLM pays contractors to remove juniper from areas where it is not desired.

RAC comments:

- Carol asked if a waiver is possible. Tim suggested a RAC motion might carry some weight if the BLM were to request a waiver.
- There are no free cutting areas in the other field offices (response to a RAC question).
- Todd suggested that the free juniper cutting could be considered a service to the BLM - removing juniper -- not just a sale of vegetative resources. Tim responded that there has been significant juniper removal in free use areas with no more adverse impacts than in pay areas. He sees the free use program as a success.
- Sean noted that firewood is essential to the way of life in this part of California because of the high cost of more traditional energy sources. He sees firewood as one of the most important things that the public land provides.
- Carol suggested that the BLM survey the area and determine the amount saved through free use wood cutting versus paying contractors to remove the same amount of juniper.
- Louise Jenson called attention to the exceptions for partnerships and management benefits in the information bulletin Tim presented. She thinks the BLM can be covered if we can demonstrate benefit to non-profits or government organizations.

Action: Tim agreed to forward the sentiments expressed by the RAC to California State Director Jim Kenna. Nancy Haug will work with Tim on a memo to the state director outlining the issues and possible solutions raised in today's discussion. The memo will point out the benefits the free cutting program has provided to the land and communities in need, as presented in today's discussion. She will include information on demonstrated benefits and a cost comparison as suggested by Carol.

Nancy stressed that the BLM offices must operate within established policies, noting that the field office was unaware of the policy discussed today when the free use program was initiated.

Management Reports

Nancy shared the state director's report:

- State Director Jim Kenna welcomes the two new RAC members, Richard DuVarney and Russ Hawkins and welcomes back three reappointed members – Ken McGarva, Frank Bayham and John Erquiaga.

- The State Director sends his thanks to the RAC for your service and contributions to BLM and the public lands. Your commitment to share ideas and work together as advisors is extremely important.
- **Legislation:** The 112th Congress is winding to a close with the lame duck session. There are several legislative proposals that we are tracking. Passage of these bills are still a possibility but becoming less likely as time passes.
- **Budget** – For FY2013 we continue to operate under a continuing resolution through March 28, 2013.
- **Wild Horse and Burro** – Adoption season is coming to a close in northern California and gearing up in the southern part of the state.
- **Rush Fire and Lost Fire post fire recovery efforts:** We have developed emergency stabilization and restoration plans and are coordinating closely with BLM Nevada to restore rangeland conditions and vital habitat for sage-grouse, mule deer, and pronghorn, livestock grazing and wild horses and burros.
- **BLM Priorities:** Our priorities continue to be renewable energy and America's Great Outdoors, including the National Landscape Conservation System, youth initiatives and recreation. Sustainability, Heritage, Community.
- **Promoting Economic Growth** BLM-California is an engine of economic activity and raises more revenue each year for American taxpayers than it spends. Special areas bring tourism dollars to local communities, and royalties for use of public lands amount to millions of dollars each year.
 - BLM-California brings in \$117 million in oil and gas royalties, \$1.8 million from wind projects, and \$8.6 million from geothermal projects statewide each year
 - Approved solar projects will contribute nearly \$23 million in annual rent and royalties, once built out

District Manager's Report – Nancy Haug:

- Completed a two month detail to Colorado where she was acting associate state director.
- The District's east side is focused heavily on sage grouse, wild horse and burro program and fire recovery.
- Richard Raione reports in January as associate district manager. He comes to the BLM from the U. S. Nuclear Regulatory Agency. The Central California District will also bring an associate DM on board this winter.

- District Fire Management Officer Paul Whitcome has retired under BLM's mandatory public safety retirement age requirement. We are very sorry to see Paul go. He's at the top of his game and an outstanding leader. Work is underway to fill behind Paul. These positions are difficult to fill because of extensive qualification requirements and the challenge and inherent risk associated with fire management.
- Nancy provided a brief summary of activities in the Redding and Arcata field offices on the district's west side
- Tim continues to work as acting FM in Surprise and FM in Alturas while we look at ways to improve efficiencies between the two offices that have similar responsibilities and are close in proximity. No decisions have yet been made. Nancy will talk with BLM partners and community leaders in deciding on a management structure.

Sean noted that is time to make a decision because the workload is overwhelming for Tim. He said BLM should "learn what you can now" and decide how to manage the two offices. It's not a job for one person, though Tim is doing a great job. Sean said only Tim could have done this because of his strong local knowledge.

Responding, Tim said the job managing two field offices is demanding. He finds rewards working with a great staff in Cedarville, taking on challenging issues and seeing some beautiful country. There is some dissatisfaction among staff. The fire situation was very challenging. He agreed there are limits to what a single person can accomplish. The employee performance workload has been difficult. He supervises 35 people and is having trouble hitting deadlines for completing employee performance evaluations. Getting supervisory natural resources specialists in each office will greatly reduce the supervisory workload. There has been good cross office coordination on programs including archaeology, wildlife and others. Having a single manager has been a benefit in improved interoffice coordination. Tim said a single manager approach might be a good idea, especially with subordinate supervisors in place. He is concerned that the Sage Steppe Restoration Project is falling through the cracks due to his time constraints.

Carol said she appreciated the opportunity to "get off the beaten path" and see areas that the BLM manages.

Sage Grouse Conservation

Alturas FO Wildlife Biologist Arlene Kotic, who coordinates the effort for BLM-California, updated the council on the process to update BLM land use plans to incorporate into them regulatory mechanisms to protect greater sage-grouse and their habitat:

- BLM offices with sage grouse habitat are managing lands under interim guidance. Work to identify preliminary priority habitat (PPH) and preliminary general habitat (PGH) has been underway, based on buffers around leks (mating areas). Maps are being refined now, and most are in final form.
- BLM is developing fire response maps that will help fire crews plan responses to wildfires in sage grouse habitat, identifying areas at greatest risk. The idea is to determine how an area will recover if it burns.
- A BLM sub-regional team is working on is alternatives for analysis in the environmental impact statement. There will be six alternatives analyzed in the sub region.
- The U. S. Fish and Wildlife Service (FWS) released a comprehensive objectives report intended to provide some guidance for the BLM and other agencies working on the issue.

Arlene said the BLM will complete amending its resource management plans in 2014, because FWS deadline for decision about whether to list the species is 2015.

RAC Comments:

There was discussion about the process to select the final alternative. Arlene confirmed the BLM can select an alternative or a combine parts of alternatives to develop a final proposed action.

- Todd noted that a sage grouse conservation strategy was created locally and wondered if the work was for naught. Nancy said the local work has been included and will be supplemented. Local work completed earlier meant that California had a head start in the process to amend resource management plans.
- Sean reported on his participation in a BLM meeting, along with other RAC members, that focused on developing standards and guidelines. He said there was confusion about the process, with conversations similar to those happening today. He was disappointed mainly that the grazing discussion was held on a day when RAC members were not invited. He came away feeling the agency "still didn't know what it is going to do."

He was concerned that the longer these drags on the less time there will be for meaningful public input. He was initially concerned that the planning was being driven more by eastern issues than western Great Basin issues. He said he concerns were alleviated through the meeting.

Medicine Lake Geothermal Proposals

Tim Burke reported on proposals for the BLM to again consider development of geothermal resources in the Medicine Lake Highlands. The known geothermal resource area is on the Modoc National Forest, where proposals for geothermal development were first discussed in the 1980s. Tim reviewed the history of development proposals including decisions issued in 1999 for two 49-megawatt power plants, one each at Telephone Flat and Four Mile Hill, and subsequent litigation.

Currently, the court has determined that new environmental analysis must be completed if companies are still interested in development. Calpine Corp. indicated interest in development at Fourmile Hill, and possibly developing resources across the entire KGRA, up to 480 megawatts of production, but there have been no decisions or new proposals. He described the situation as a "holding pattern." He said the BLM, through an environmental process must determine whether the area is suitable for development, and if so, the type and extent of development.

Wild Horse and Burro Management

The RAC received information on the status of proposed roundups in the Buckhorn and Coppersmith herd management areas of the Surprise Field Office, and post wildfire horse and burro management in areas burned by the Lost and Rush fires.

Buckhorn-Coppersmith EA: The proposed gather has been postponed, but an environmental assessment has been released for public review and comment. There have been no decisions issued for possible emergency post-fire roundups. The BLM has received scoping comments. A decision record will be issued this winter with the possibility of gathering excess horses as late as 2015. The BLM now estimates there are 250 horses in the two HMAs. The preferred alternative calls for removing as many as possible, treating mares with the immune-contraceptive PZP and returning them to the range with males to achieve a combined population of about 100.

Rush and Lost Fires

Rush Fire: Dereck Wilson presented an impact summary of the 315,000-acre fire that burned in Lassen and Washoe counties.

Sean suggested that communications between the command teams, local BLM offices and public land stakeholders, especially ranchers, were "abysmal" on these and other fires. He said the agency fire management structure needs to be adjusted. He said there were situations with cattle being in the way while backfiring was ongoing.

Todd said he experienced that situation with his cattle operation. Sean said the common communication problem was of rancher notification about backfires. He said the issue is widespread and should be discussed at top organizational levels.

Nancy noted that BLM's fire management structure places agency resource advisors with local knowledge onto fire management teams to provide information and facilitate communication. She said concerns expressed during this summer's fires provide a "heads up" that communication needs to be examined and stressed. She said BLM needs to share all local issues and concerns with incoming incident management teams.

Rush Fire Emergency Stabilization and Rehabilitation: Dereck summarized what has been proposed for the fire area, the process used for developing the plan and the resource issues that will be addressed. A plan is undergoing review at BLM headquarters. Proposals including aerial seeding, drill seeding and natural plant recovery. There are provisions to address the potential for increase in invasive weeds. He said BLM will adhere to a native plant policy, and focus on seeding native bluebunch wheatgrass. He said there are limitations on available seed and BLM can use non-natives in native seed shortage situations. Livestock will be removed until management objectives are met. He also reported that students will assist with resource condition monitoring.

Sean commented that the sooner the permittees know what is being planned, the sooner they can arrange to adjust their operations.

Lost Fire: Tim distributed a summary of proposed rehabilitation actions on the Lost Fire. Horses will be removed only in emergencies. The Surprise Field Office hopes to build about seven miles of protection fence along the north end of the fire. Archaeological clearance is being completed; contracts could be let this fall. The fence would allow grazing while protecting recovering burned areas grazing. Work is underway on stream erosion control structures to prevent erosion and soil loss. Tim said there is no funding for wild horse removal, but permittees will be curtailed in grazing use. Fire crews are repairing fences now.

Sean suggested there might be surplus fencing material available from the Sheldon National Wildlife Refuge.

Tim also updated the RAC on involvement by Nevada Congressman Mark Amodei.

Responding to Ken McGarva, Tim said there were no rehabilitation funding approved for the Likely Fire or the Nelson Fire.

Public Comment

Several members of the public provided comments via teleconference:

Craig Downer: Does not want to see additional horses rounded up from the Twin Peaks HMA. He says additional roundups would violate the wild horse and burro act. He said the remaining horses can contribute to the restoration process by spreading seed through excrement. They also roam widely over the landscape and do not concentrate and cause damage as livestock do. They are protected by law and appreciated by the general public. He completed an aerial survey and found about 385 horses, not near the BLM count. He asked RAC members to be fair and recommend that the BLM provide for their fair share of the resources.

Debbie Coffey: Participants in Craig Downer's flight counted fewer than 400 horses and took more than 400 photos. She is concerned that these are the last of the wild horses in California and a roundup would do away with this use. Members of the public will attend any roundup and count horses. She urged BLM to look at photos and raw data to get an accurate account of the horses on the range. She was concerned her right to ask questions during the public comment period was being limited, feeling that a RAC meeting is an appropriate venue to ask questions.

Anne Novak: Feels strongly that wild horses and burros can be used to reseed the land after fire. It could be a landmark opportunity for the BLM. She yielded her time to Debbie.

Coffey: She is familiar with the area having attended the Twin Peaks roundup in 2010. She said there are only 55 herds in the nation with more than 100 horses and is concerned that roundup in Twin Peaks would cause genetic viability issues. She asked for proof that there are more than 400 horses in area of the Rush Fire. She fears this will be the final wipeout of wild horse herds in California. Wild horses are a valid use of the land and important to the American people.

Elyse Gardner: Horses should be rounded up only if absolutely necessary for their well-being. If horses are rounded up the BLM should plan to return them to the range. She does not agree that horses can't be returned to the range and do well. She urged BLM not to remove horses, and suggested a public/private partnership to benefit the range and the horses. She added that any roundup should be keep bands intact and return the entire bands together to the range, and offered help to document the bands coming in and assist with returning entire intact bands to the range. She suggested this would be a groundbreaking opportunity for the public and BLM to work together. Also, she asked the RAC to be aware that there was not sufficient reference to Dr. Cothran's genetic viability report on the Coppersmith/Buckhorn herd in the BLM's scoping information on the proposed roundup. She cited Cothran, noting that 50 horses is "rock bottom" for a herd on the range to remain genetically viable. She said horses from outside of HMAs should not be added to herd management areas; the herds should be self-sustaining, and adding "outside" horses might even be illegal.

Sherry Oster: Agreed with the comments presented today. She said 485,000 acres were not burned, so the land should be able to support at least 1,900 horses. She asked about types of non-native grasses that might be seeded if native grass is not available -- it competes well with cheatgrass and benefits wildlife to some extent.

Nancy Haug summarized the ESR process including the proposals for wild horse population management. There will be an EA on the proposed plan. The plan is not yet approved.

Carla Bowers (in person): Expressed concern that California wild horse and population levels are so low that there is no genetic viability. She said northeast California is the mustangs' last stand in California. The AMLs are too low in the remaining HMAs, so none are genetically viable. Carla said she represents all voices in the nation who want to protect the remaining wild horses. She said the Carter Reservoir herd and Massacre Lakes herd need special attention. Specifically for Massacre Lakes, she said the recommended AML of 23 to 45 is not genetically viable. She said the EA for setting AML will be combined with developing grazing management rules. She asked the RAC to study her proposal (a written proposal was distributed) and comment as individuals. She said the Massacre Lakes herd is one of the few remaining herds that have not been gathered since 1988. She said the "one of kind" herd should be maintained in natural numbers as a research control group for comparison with other "overly manipulated" herds. She said there would be economic benefit to Surprise Valley through the presence of researchers. Her proposal suggests a community herd management partnership. It would be cutting edge research and would put Surprise Valley on the map.

She said the suggestions are also in line with Interior Secretary Ken Salazar's strategies for improving wild horse management through cooperative relationships with all stakeholders. She has shared the proposal with Tim Harvey of the BLM National wild Horse and Burro Advisory Board. She asked for RAC support in her request that the BLM consider her proposal as an alternative in the Massacre Lakes EA.

Marilyn Wargo: Asked for the BLM to be patient while the public presents proposals for more science and research to support decisions. Science should be independent from the government. The public needs to be given the chance to do this.

Alturas Land Acquisition

Tim Burke reported on the status of a proposed transfer of lands from Pacific Gas and Electric to BLM as part of a company bankruptcy settlement. The RAC has toured some of the parcels near Hat Creek. BLM has submitted proposals to acquire about 8,000 acres of the 140,000 acres slated for disposal. The stewardship council assigned to formulate recommendations suggested about 2,500 acres should be transferred. There are conditions that the BLM is evaluating including riparian rights retention by PG&E. No final decisions have been made.

Field Manager Reports

Surprise: In addition to his written report, Tim noted the field office has to catch up on grazing permit renewal work that was set aside during the fires. At Boulder Reservoir the field office issued a decision to dredge the reservoir, build off-reservoir livestock water, fence the reservoir and develop a campground. Tim said he will keep the RAC informed.

Crews did cleanup work and installed a kiosk at Divine Spring as part of National Public Lands Day in September.

Alturas: Drought is a major concern, including Surprise. A drought watch is in place and could result in mandatory reductions in the length of livestock grazing seasons if precipitation does not reach 75 percent of normal.

Eagle Lake: In addition to his written report, Dereck addressed a written concern that Espil Sheep Co. was out of compliance with its grazing permit, when its sheep were in the Rush Fire during the Rush Fire. The RAC had received correspondence questioning the presence of sheep in the area during August. Dereck said the livestock permittee was moving sheep from his Modoc National Forest allotments back to his base property, an allowable activity, when the fire occurred. There were no violations of his grazing authorization as alleged in the letter received by the advisory council.

Dereck also reported that the field office was not able to carry out proposed projects in which volunteers were to be monitoring resource conditions remote areas of the Twin Peaks HMA. Funding was provided in the Director's Challenge initiative. He said there were concerns about sending volunteers into very remote areas alone and there were not enough applicants to form monitoring teams. The office has received a funding extension and will offer new volunteer opportunities next summer.

Member Roundtable: Issues from members

Carol wanted clarification on how agenda topics are developed. There was discussion.

Closing Business

Suggested Future Meeting Topics: RAC 101 (during upcoming joint session), election of officers, overview of key resource management concerns by field office, management of wild horses and burros in context with other resource values (BLM to send pre-meeting information), genetic diversity in wild horse herds, update on sage-grouse conservation effort (including a clarification of the RAC's role), emergency stabilization and rehabilitation status on large fires, feedback on RAC consensus regarding the Alturas Field Office free use firewood program.

Next meeting: BLM will send out date ranges for a spring joint meeting, with time reserved for individual RAC breakout meetings. The meetings will be in Redding.

The meeting was adjourned.

*Summary minutes compiled by
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